

Message Text

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ACTION EB-07

INFO OCT-01 AF-10 ISO-00 L-03 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 SS-15
NSC-05 SSO-00 NSCE-00 INRE-00 /052 W
-----091455Z 002062 /40

O 091412Z JUN 77

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC IMMEDIATE 8863

LIMITED OFFICIAL USE NAIROBI 7225

E.O. 11652: N/A

TAGS: EAIR, KE

SUBJECT: CIVAIR: U.S.-KENYA BILATERAL NEGOTIATIONS

REF: (A) STATE 130040, (B) NAIROBI 7146

1. FOLLOWING TRANSMISSION OF REFTEL B, PAN AM DIRECTOR PROVIDED EMB WITH COPY OF LATEST COMMUNICATION FROM MINISTRY OF POWER AND COMMUNICATIONS ON SUBJECT FIFTH FREEDOM RIGHTS FOR INTERNATIONAL AIRLINES SERVICING NAIROBI.

2. TEXT OF LETTER DATED JUNE 6 FOLLOWS: QUOTE FURHTER TO THIS OFFICE LETTER OF 28TH MAY, 1977 OF EVEN REFERENCE, I WOULD LIKE TO CLARIFY THE POSITION OF TRAFFIC BETWEEN POINTS BEYOND KENYA WHICH HAVE NOT BEEN THE SUBJECT OF PREVIOUS BILATERAL ARRANGEMENTS WITH KENYA.

AS YOU ARE AWARE, TO DATE YOU HAVE EXERCISED FIFTH FREEDOM UPLIFT RIGHTS UNDER THE EXISTING AIR SERVICES AGREEMENT WITH THE EAST AFRICAN AERONAUTICAL AUTHORITIES. DUE TO THE BREAKUP OF THE EAST AFRICAN AIRWAYS, THESE RIGHTS CAN NO LONGER BE EXERCISED AS THEN EXISTED. THIS POSITION HAS BEEN CLARIFIED IN THE MINISTERIAL STATEMENT ISSUED BY THE MINISTER FOR POWER AND COMMUNICATIONS AND
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THE OFFICIAL KENYA GOVERNMENT COMMUNIQUE TO YOUR GOVERNMENT FROM THE MINISTRY OF FOREIGN AFFAIRS.

THE INTENTION OF THE LETTER ADDRESSED TO YOU ON 28TH MAY, 1977 WAS NOT INTENDED TO STOP YOUR SERVICES TO POINTS BEYOND KENYA, RATHER IT WAS TO STRESS THE NEED FOR YOU ENTER INTO IMMEDIATE DISUSSIONS TO AGREE ON

MUTUALLY BENEFICIAL ARRANGEMENTS FOR FUTURE OPERATIONS.
I WOULD LIKE THEREFORE TO STATE HERE THAT YOU WILL CONTINUE
TO OPERATE AS BEFORE BUT ANY OPERATIONS COVERED UNDER
THIS ARRANGEMENT WILL BE THE SUBJECT OF IMMEDIATE NEGOTIA-
TIONS TO AGREE ON THE EXERCISE OF FIFTH FREEDOM RIGHTS.
SUCH AGREED ARRANGEMENT WILL BE RE RETROSPECTIVE FROM 1ST
FEBRUARY, 1977. ALREADY SOME OF YOU ARE AWARE OF THE
KENYA GOVERNMENT REQUIREMENT IN THIS RESPECT BUT THOSE OF
YOU TO WHOM THE POSITION IS NOT CLEAR YOU ARE FREE TO
GET IN TOUCH WITH THIS OFFICE FOR ANY ASSISTANCE THAT
YOU REQUIRE. UNQUOTE.

3. EMB HAS NOT YET RECEIVED OFFICIAL COMMUNIQUE ALLEGEDLY
FORTHCOMING FROM MINISTRY OF FOREIGN AFFAIRS.

4. PAN AM OFFICE DIRECTOR RECEIVED INSTRUCTIONS FROM
AIRLINE HEADQUARTERS TO SEEK CLARIFICATION OF LETTER FROM
MINISTRY PERMANENT SECRETARY BUT INFORM HIM THAT BILATERAL
DISCUSSIONS ON PAN AM TRAFFIC RIGHTS MUST TAKE PLACE
ONLY AT GOVERNMENT LEVEL. PRINCIPAL QUESTION IS WHAT WILL
HAPPEN TO PAN AM'S WEST AFRICAN ROUTE TO NAIROBI.

5. NAIROBI PRESS REPORTED JUNE 9 THAT KENYA AIRWAYS
DELEGATION LEFT FOR INDIA TO HOLD TALKS WITH AIR INDIA
ON POLL ARRANGEMENTS AND OTHER AREAS OF COOPERATION.
ACCORDING NEWSPAPER, KENYA TEAM WOULD THEN PROCEED TO
PARIS, WHERE SIMILAR CONSULATIONS WILL BE HELD WITH
AIR FRANCE.

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DECON 6/9/78.
LINDSTROM

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AVIATION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977NAIROB07225
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770206-0079
Format: TEL
From: NAIROBI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770674/aaaacmnj.tel
Line Count: 99
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6e2a1782-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
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Previous Handling Restrictions: n/a
Reference: 77 STATE 130040, 77 NAIROBI 7146
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2215322
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: U.S.-KENYA BILATERAL NEGOTIATIONS
TAGS: EAIR, KE, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/6e2a1782-c288-dd11-92da-001cc4696bcc
Review Markings:
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